

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Everett Jerome Tripodis,

Case No. 3:17-mc-23

Plaintiff,

v.

ORDER

United States of America, et al.,

Defendants.

On March 8, 2021, I entered an order dismissing the complaint filed by *pro se* plaintiff Everett Jerome Tripodis for want of prosecution. (Doc. No. 27). I previously had warned Tripodis that his case would be dismissed on this basis after an earlier lengthy period of delay and inactivity. (*See* Doc. No. 19).

Tripodis has filed a motion for reconsideration, arguing I should reopen his case because the State of Georgia did not respond to his earlier attempts to obtain his property and because the statute of limitations has expired. (Doc. No. 28 at 6-8). Instead of having “exhausted his efforts to seek an answer from the State of Georgia,” (*id.* at 8), Tripodis’ filings again reflect that he has not made any efforts to locate or obtain his property since October 22, 2020. (Doc. No. 28-1). Moreover, he offers no legal support for his assertion that the limitations period has expired.

In short, Tripodis does not claim to have made any efforts to locate his property in over six months. His conclusory assertion that he will suffer irreparable harm from the dismissal of his case without prejudice is not sufficient to demonstrate that a manifest injustice would result from my earlier order. *See Reich v. Hall Holding Co.*, 990 F. Supp. 955, 965 (N.D. Ohio 1998) (citing *Petition of*

U.S. Steel Corp., 479 F.2d 489, 494 (6th Cir. 1973)) (“The major grounds justifying reconsideration of interlocutory orders are an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice.”). Therefore, I deny his motion for reconsideration. (Doc. No. 28).

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge